

Barry N. Breen

(b) (6)

OBJECTIVE

Position as Director, Federal Facilities Enforcement Office
Announcement No.: EPA-5-OECA-6033

WORK EXPERIENCE

Director, Federal Facilities Enforcement Office, Office of Enforcement and Compliance Assurance, U.S. EPA. (June 1994 to present).

401 M St. SW, Washington, DC 20460

Grade: GM 15. Annual Salary: \$93,166 (current salary). (1994 salary was \$90,252).

Supervisor: Michael Stahl, (202) 260-4543. Permission to contact granted.

Number of people supervised: 25 permanent full-time civil servants, 8 others.

Duties and Accomplishments:

I manage the work of the work of the Federal Facilities Enforcement Office, which is multi-media, multi-disciplinary, and multi-tooled (compliance assistance, compliance assurance, and civil enforcement).

Most of my accomplishments are in conjunction with the accomplishments of the office as a whole. Examples include:

Resolution of key CERCLA enforcement disputes (e.g., Lake City Army Ammunition Plant; Watertown, Massachusetts, Army Materials Testing Laboratory).

Participation in renegotiation of CERCLA agreement for DOE Rocky Flats, Colorado, plant.

Participation in "summit" meeting for DOE Hanford, Washington, location, which identified \$1 billion in savings over 3 to 4 years without relaxing regulatory protection.

Bringing RCRA enforcement action at classified Air Force location. To the best of our knowledge, this is the first time this type of action has been brought at a classified location. Discussions for a memorandum of agreement setting regular procedures for future actions of this type have begun.

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Completion of the FY 93-94 Federal Facilities Multi-Media Enforcement and Compliance Initiative. This has served as a case study for multi-media inspections EPA-wide.

EPA lead for the ENVEST initiative, one of 25 regulatory reform initiatives announced by the President.

Army-EPA Memorandum of Agreement on Pollution Prevention. This agreement provides EPA expertise to the Army, and the Army agrees to make public its responses to EPA's recommendations.

Deputy Director, Office of Federal Facilities Enforcement, Office of Enforcement, U.S. EPA. (December 1992 to June 1994). Including Acting Director from October 1993 to June 1994.

401 M St., SW, Washington, DC 20460

Grade: GM 15. Annual Salary: \$83,502 (starting) to \$90,252 (finishing).

This is the predecessor to the current Federal Facilities Enforcement Office, reorganized in the June 1994 enforcement reorganization. The office had approximately 29 permanent full-time civil servants and 5 others.

Supervisors: Gordon Davidson, Tad McCall, Scott Fulton, and Michael Stahl (b) (6)

Permission to contact granted.

Duties and Accomplishments:

I served as Deputy Director & Senior Counsel from December 1992 through September 1993, and on Gordon Davidson's departure served as Acting Office Director through the enforcement reorganization in June 1994.

Most accomplishments were in conjunction with the office as a whole. Examples included:

Resolution of CERCLA enforcement disputes (e.g., Mather Air Force Base, George Air Force Base).

Promulgation of guidance implementing the enforcement provisions of the Federal Facility Compliance Act of 1992.

Support to the Assistant Administrator for testimony before Senate Governmental Affairs Committee and House Armed Services Committee.

Successful management of the office through the staffing changes of the enforcement reorganization.

Adjunct Faculty Member, Washington College of Law, The American University.
(January 1990 to present).

4400 Massachusetts Ave. NW, Washington, DC 20016.

Current faculty rank is **Adjunct Professor**. Pay: \$3000 for 2-credit semester (starting) to \$5600 for 3-credit semester (current).

Supervisors: Professor Andy Popper, Professor Jamin Raskin. (b) (6) Permission to contact granted.

Duties and Accomplishments:

I teach courses in environmental law, specifically: Environmental Law (the basic course), Toxic Torts, and International Application of U.S. Environmental Law. Class sizes have ranged from 22 students to 93 students.

Most classes have included a practical role-playing exercise which I designed.

I won the 1991 American University Award for Outstanding Adjunct Teaching. Two adjunct faculty members received this award in 1991, out of over 700 eligible university-wide.

Editor-in-Chief, Environmental Law Reporter, The Environmental Law Institute.
(August 1986 to December 1992). Concurrently, from January 1988 to December 1992,
Director of Publications, Environmental Law Institute.

1616 P St. NW, Washington, DC 20036.

Annual Salary: starting at \$52,000, ending at \$100,800. Number of people supervised: 12 full-time, 4 part-time.

Supervisor: Bill Futrell (b) (6) Permission to contact granted.

Duties and accomplishments:

I became Editor-in-Chief of the Environmental Law Reporter in August 1986. In January 1988, I also became the overall Publications Director of the Environmental Law Institute.

I managed all aspects of the Environmental Law Reporter itself, and the Environmental Law Institute's Books and Treatises Program.

Our treatise, Sustainable Environmental Law, won the 1993 award for Best New Book (Legal) from the Association of American Publishers, Professional and Scholarly Publishing Division.

The Environmental Law Reporter finished 1991 (the last full year I was there) with 40% more subscribers than when I joined in 1986.

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Trial Attorney (General), Organized Crime and Racketeering Section, Criminal Division; U.S. Department of Justice. (August 1985 to September 1986).

Main Justice, Washington, DC 20530.

Grade: GS-13. Annual Salary: \$46,370.

Supervisor: Alex White (b) (6) Permission to contact granted.

Duties and Accomplishments:

I worked as a Trial Attorney in the Justice Department's Criminal Division. I prosecuted federal criminal cases in the Eastern District of Virginia and served as a lawyer at Justice Department Headquarters on issues including electronic surveillance, currency crimes, and the criminal laws aimed specifically at organized crime.

In a jury trial for a cocaine conspiracy in the Eastern District of Virginia, I won convictions on all six counts against two defendants.

Assistant to the General Counsel, Office of the General Counsel, Department of the Army. (August 1981 to September 1985).

The Pentagon, Washington, DC 20310.

Grade: Captain, U.S. Army. Annual Salary: \$26,589 (starting) to \$35,649 (finishing).

Supervisor: Stanley Nissel. (Mr. Nissel has retired). Permission to contact granted.

Duties and Accomplishments:

I received the U.S. Army Meritorious Service Medal for legal advice principally in environmental law, and as needed in real property, military construction, occupational safety and health, energy, housing, and transportation.

I managed efforts through the Office of Management and Budget to compel the DOE to clean up the Weldon Springs Chemical Plant in Missouri.

I coordinated Army legal efforts through the Justice Department in bringing suit against Shell Chemical Company to clean up Rocky Mountain Arsenal, Colorado.

I coordinated Army legal involvement in settling United States v. Olin, involving cleanup costs and toxic tort claims from DDT production at Redstone Arsenal, Alabama.

I advised the Secretary and Chief of Staff on environmental impact statement requirements in stationing two new Army divisions.

I managed environmental compliance during a classified action.

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Summer Law Clerk, Office of the General Counsel, Department of Defense. (May 1980 to August 1980).

The Pentagon, Washington, DC 20301.

Grade: GS-9. Annual Salary: \$17,035.

Supervisor: Andy Effron. Permission to contact granted.

Summer Law Clerk, Office of the Chief Counsel, U.S. Army Corps of Engineers. (June 1979 to August 1979).

Pulaski Building, Washington, DC 20314.

Grade: GS-7. Annual Salary: \$13,014.

Supervisor: Lance Wood (b) (6) Permission to contact granted.

EDUCATION

Harvard Law School, J.D. cum laude, 1981.
Cambridge, Mass. 03128

Princeton University, A.B. cum laude. Major in the Woodrow Wilson School of Public and International Affairs, 1978.
Princeton, New Jersey 08540.

Laurel High School, Laurel, Maryland, graduated in 1974.

SPECIAL SKILLS, ACCOMPLISHMENTS, & AWARDS

Managing Editor of Sustainable Environmental Law, winner of the 1993 "Best New Book Award" (Legal Category) from the Association of American Publishers, Professional and Scholarly Publishing Division.

U.S. Army Meritorious Service Medal, 1985.

The American University Faculty Award for Outstanding Adjunct Teaching, 1991.

I was one of two adjuncts to receive this award in 1991, out of over 700 adjuncts at the University.

Elected to Membership in the American Law Institute, 1991.

National Environmental Moot Court. I have written the competition problems for this annual event for each year from 1990 through 1995.

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Editorial Advisory Boards:

Harvard Environmental Law Review.

Environmental Law Reporter.

Federal Facilities Enforcement Journal.

Board of Directors, Falls Church Episcopal Day School (volunteer, church-affiliated).

Bar Memberships:

District of Columbia.

United States District Court for the District of Columbia.

United States Court of Appeals for the District of Columbia Circuit.

PUBLICATIONS

Managing editor and chapter author of Sustainable Environmental Law and Environmental Law from Resources to Recovery (Both from West Publishing Co., 1993).

"Citizen Suits for Natural Resource Damages: Closing a Gap in Federal Environmental Law," 24 Wake Forest Law Review 851 (1989).

"Innovative Methods of Environmental Protection," in Law of Environmental Protection (Clark Boardman Callaghan Co., 1989 with annual updates).

"Your Government's Pollution," op-ed in The Christian Science Monitor, May 23, 1989, p. 18.

"The Travel Act (18 U.S.C. 1952): Prosecution of Interstate Acts in Aid of Racketeering," 24 American Criminal Law Review 125 (1986).

"Federal Supremacy and Sovereign Immunity Waivers in Federal Environmental Law," 15 Environmental Law Reporter 10326 (1985).

"CERCLA's Natural Resource Damage Provisions: What Do We Know So Far?," 14 Environmental Law Reporter 10304 (1984).

"Natural Resource Damage Recovery by Federal Agencies -- A Roadmap to Avoid Losing Causes of Action," 13 Environmental Law Reporter 10324 (1983).

"Getting the Federal Government to Comply," The Environmental Forum, March 1983.

"Superfund: The Army as Protector of the Environment," The Army Lawyer, May 1982.

"Restraining the Regulators: Legal Perspectives on a Regulatory Budget for Federal

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Agencies," 18 Harvard Journal on Legislation 1 (1981) (co-author).

"The Death of a Myth," op-ed column in the Washington Star, September 10, 1980,
reprinted at 126 Congressional Record 28712 (1980).

PERSONAL INFORMATION

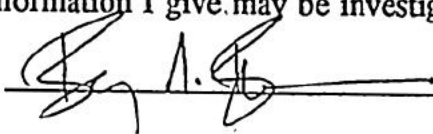
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CERTIFICATION

I certify that, to the best of my knowledge and belief, all of the information on and attached to this resume is true, correct, complete, and made in good faith. I understand that false or fraudulent information on or attached to this resume may be grounds for not hiring me or for firing me after I begin work, and may be punishable by fine or imprisonment. I understand that any information I give may be investigated.

Signature: _____



Date Signed: May 22, 1995